



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2009 Biennium

Bill #	SB0479	Title:	Content criteria for labeling products containing Montana huckleberries
Primary Sponsor:	Elliott, Jim	Status:	As Introduced

- | | | |
|---|--|--|
| <input type="checkbox"/> Significant Local Gov Impact | <input type="checkbox"/> Needs to be included in HB 2 | <input checked="" type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

FISCAL SUMMARY

	<u>FY 2008 Difference</u>	<u>FY 2009 Difference</u>	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>
Expenditures:				
General Fund	\$0	\$0	\$0	\$0
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

Description of fiscal impact:

SB 479 establishes the content criteria for Montana huckleberry products and provides penalties for product mislabeling. There is no fiscal impact to the state.

FISCAL ANALYSIS

Assumptions:

Department of Agriculture (AGR)

1. This bill attempts to regulate the use of the wild Montana huckleberry in food products.
2. Labels for products that contain the terms "Montana" and "huckleberry" must meet specific criteria.
3. The AGR would be required to maintain a database in which the producers designate the area in Montana in which the wild Montana huckleberries were picked. The cost to develop the database is anticipated to be minimal and can be absorbed within existing resources. This database would be considered confidential.
4. The Agricultural Development Division marketing staff would maintain the database. Maintenance and responding to public inquiries would fall within the scope of their normal duties.

5. The authority to inspect and/or audit packaging labels falls under the Department of Health and Human Services (DPHHS), Food and Consumer Safety Section. This duty falls within the existing duties and responsibilities of the section and would have no additional fiscal impact.

Technical Notes:

1. Section 1 (2) which refers to organic huckleberries could be removed as anything sold as organic in Montana must be certified by an entity accredited by the United States Department of Agriculture, National Organic Program, and must be produced and handled in compliance with the Code of Federal Regulations, 7 CFR part 205.
2. This bill does not reference a revenue source. Companies seeking the protection of a Montana registry could be required to pay an annual fee and the actual cost of an inspection (travel & staff time) could be added to the penalty noted in Section 2 (2). Revenue collected could offset the legal fees associated with the collection of penalties. The AGR would need rule making authority added to this bill. The minimum cost of adding rules is \$50/page to the Secretary of State.

Sponsor's Initials

Date

Budget Director's Initials

Date